

### **REMARKS**

The Office Action has been received and carefully considered. The Office Action rejects claims 1-8, 10 and 12-17 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Published Application No. 2002/0121385 to Wasik *et al.* (“Wasik”), rejects claim 11 under 35 U.S.C. § 103(a) as allegedly being obvious over Wasik, and rejects claim 9 under 35 U.S.C. § 103(a) as allegedly being obvious over Wasik in view of U.S. Published Application No. 2004/0176024 to Hsu *et al.* (“Hsu”). Applicants respectfully traverse the rejections as follows.

#### **I. The Amended Claims Are Patentable Over The Art of Record**

The claims have been amended to recite that the physical token itself includes “a processor configured to execute an application.” (The present Specification provides support for these amendments at ¶¶ 32 and 33.) Thus, the claims clarify that the token is smart, in that it includes both storage and processing capabilities. The internal processing capabilities of the token include deciding whether an “access parameter has been met or exceeded.” If the token decides that the user may properly be granted access, then the token allows the user to connect to the network in question.

The claimed token is clearly distinguished from Wasik at least because it executes an application. Indeed, Wasik at most discloses conveying software via a standard computer-readable media, such as a CD-ROM, for installation and execution on a user’s computer. *See, e.g.,* Wasik, ¶ 64. A user installs Wasik’s software on the user’s computer, which executes the software. In Wasik’s invention, all decisions as to whether to grant network access are made in concert with software executing on the user’s computer. Thus, a user of Wasik’s invention has

no further use for Wasik's computer-readable media, because the user's computer contains and executes Wasik's software.

In the present invention as claimed, the decision as to whether to grant network access is made inside the token itself. This is reflected in the claim language: "said token comprising a processor configured to execute an application, *said application configured to determine if said access parameter has been met or exceeded.*" This differs from the disclosure of Wasik at least because Wasik's decision-making capability lies in the computer itself. See, e.g., Wasik, ¶ 64.

Including a processor configured to determine if an access parameter is met or exceeded is a vast improvement over Wasik's technique. For example, the fact that the present token is "secure," as claimed, prevents a user from modifying its contents and thereby gaining unauthorized access to the network. Wasik's invention is easy to hack because all parameters are stored in software that can be modified by a clever user. The present invention prevents a hacker from gaining unauthorized network access because the grant-access decision is made within a secure token.

In sum, the claims as amended clearly distinguish over the art of record. Applicant therefore respectfully request that the claims be allowed and the case be passed to issue.

### **III. Conclusion**

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone

number, in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

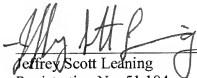
This reply is submitted together with a request for a two-month extension of time. In the event that a variant exists between the amount tendered and that determined by the U.S. Patent and Trademark Office to enter this Reply or to maintain the present application pending, please charge or credit such variance to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,  
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